

Telangana State Information Commission

(Under Right to Information Act, 2005)

D.No.5-4-399, Samachara Hakku Bhavan (Old ACB Building),

Mojam-jahi-Market, Hyderabad - 500001.

Phone: 24740155 Fax: 24740592

Appeal No: 8415/SIC-SK/2020

Date: - 23-07-2021

Appellant : Sri D. Nagesh, Nizamabad District.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the Municipal Commissioner,
Nizamabad Municipal Corporation,
Nizamabad District.

First Appellate Authority
(U/RTI Act, 2005)
O/o the Municipal Commissioner,
Nizamabad Municipal Corporation,
Nizamabad District.

Order

Sri. D. Nagesh, Nizamabad District has filed 2nd appeal dated: 10-10-2020 which was received by this Commission on 16-10-2020 for not getting the information sought by him from the PIO / O/o the Municipal Commissioner, Nizamabad Municipal Corporation, Nizamabad District and 1st Appellate Authority / O/o the Municipal Commissioner, Nizamabad Municipal Corporation, Nizamabad District.

The brief facts of the case as per the appeal and other records received along with it are that the appellant herein filed an application dated: 08-07-2020 before the PIO requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005, on the following points mentioned in his application:

అపార్ట్ మెంటుల జీవిత కాలం / కాల పరిమితి తెలుపుతూ దాని నియమ నిబంధనల సమగ్ర సమాచారం ఇవ్వగలరు.
మన నిజమూలను జిల్లాలో కాల పరిమితి / జీవిత కాలం ముగిసిన అపార్ట్ మెంటుల సమగ్ర సమాచారం ఇవ్వగలరు.
జీవిత కాలం / కాల పరిమితి ముగిసినట్లుగా మన నిజమూలను మునిసిపాలిటీ వారి నుండి నోటీసుల అందుతున్న అపార్ట్ మెంటుల యజమాన్యాల సమగ్ర సమాచారం ఇవ్వగలరు.
ఇందుకుంటేల నిరీక్షించుకోని పునాది, అపార్ట్ మెంటుల జయ (ప్రక) సమాచారం ఇవ్వగలరని విన్నపం.

The Public Information Officer vide Lr. No. ACP/Public Information Officer/TMS/5417/2020 dated. 03-09-2020 furnished the information to the appellant.

Aggrieved with the reply from the PIO, the appellant filed 1st appeal dated: 24-08-2020 before the 1st Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act, 2005.

Stating that the appellant did not get the information from the PIO / 1st Appellate Authority even after 30 days of filing his 1st appeal, he preferred this 2nd appeal before this Commission requesting to take action against the PIO and 1st Appellate Authority for not furnishing information sought by him and also to arrange to furnish the information sought by him u/s 19(3) of the RTI Act, 2005.

In view of the above, the 2nd appeal may be taken on file and Notices issued to both the parties for hearing on 23-07-2021 at 11.00 A.M.

In view of the Covid -19 Pandemic, the cases are heard over phone on 23-07-2021 with prior intimation to the concerned parties. The appellant responded and stated that the PIO has not furnished the information. The PIO / Sri Karunakar, Town Planning Officer, O/o the Municipal Commissioner, Nizambad Municipality, Nizambad District responded and stated that a reply was given to the appellant vide letter No: ACP/PIO/TMS/5417/2020 dated: 03-09-2020.

Heard both the parties and perused the material papers available on record and observed that the appellant through his 6(1) application dated: 08-07-2020 and the PIO responded that the information sought does not come under the definition of information as per RTI Act 2005. The Commission is of the view that the PIO ought to have furnished the available information to the appellant.

The Commission directs the PIO to allow the appellant for verification of records on a mutually fixed date and time by issuing prior intimation to the appellant to enable him to obtain specific information (keeping in view of Section 8, 9, 10 & 11 of RTI Act 2005) and to report compliance to the Commission.

With the above direction, the appeal is closed.

SYED KHALEELULLAH
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer
Copy to: SO / SF / OC